

FOR THE DISTRICT OF MASSACHUSETTS
UNITED STATES DISTRICT COURT

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL NO. 1456

CIVIL ACTION: 01-CV-12257-PBS

THIS DOCUMENT RELATES TO ALL
ACTIONS

Judge Patti B. Saris

MOTION FOR ADMISSION OF BRIAN DAMIANO *PRO HAC VICE*

Pursuant to Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts and pursuant to this Court's Case Management Order No. 1, ¶ 16, the undersigned counsel moves that Brian Damiano be permitted to appear and participate in this action *pro hac vice* as counsel for defendant Dey, Inc. The undersigned counsel states as follows:

1. Mr. Damiano is an associate with the law firm of Kelley Drye & Warren LLP, 101 Park Avenue, New York, New York 10178.
2. The accompanying declaration of counsel, attached hereto as Exhibit A, certifies that Mr. Damiano has met the requirements to practice before the United States District Court for the District of Massachusetts.
3. A check in the amount of \$50.00 is being forwarded simultaneously with this motion for Mr. Damiano's admission *pro hac vice*.

WHEREFORE, the undersigned counsel respectfully requests that this Court grant this motion to admit Brian Damiano *pro hac vice*.

Dated: March 16, 2006

Respectfully submitted,

KELLEY DRYE & WARREN LLP

By: 

Paul F. Doyle (BBO # 133460)

101 Park Avenue
New York, New York 10178
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Facsimile: (212) 808-7897

Attorneys for Dey, Inc.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on March 16, 2006, a copy to LexisNexis File & Serve for posting and notification to all parties.

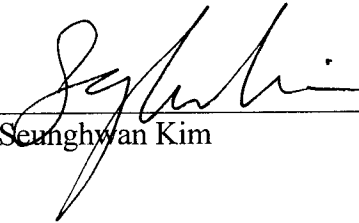

Seunghwan Kim

EXHIBIT A: DECLARATION OF BRIAN DAMIANO

I, Brian Damiano, hereby certify as follows:

1. I am an associate of the firm of Kelley Drye & Warren LLP, which is located at 101 Park Avenue, New York, New York 10178.

2. I have been admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, and state courts on the dates indicated for each:

DATE ADMITTED

The State of New York	02/10/2004
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United States District Court for the Southern District of New York	12/28/2004
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United States District Court for the Eastern District of New York	12/28/2004
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3. I am an attorney in good standing and eligible to practice in the above-referenced jurisdictions.

4. I have not been suspended or disbarred in any jurisdiction, and no disciplinary actions are pending against me.

5. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts and agree to abide by them.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct. Executed on March 16, 2006.

By: Brian Damiano
Brian Damiano